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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/831,281	10/03/2001	Leslie Graf	027566-028	4259

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EXAMINER

JOO, JOSHUA

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 02/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/831,281	Applicant(s) GRAF ET AL.	
	Examiner Joshua Joo	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Response to Amendment filed 10/14/2005

1. Claims 1, 3-9 are presented for examination.

Claim Objections

2. Claims 3-8 are objected to because of the following informalities:
 - i) Claims 3-8 should cite "The method" instead of the cited limitation of "A method" because the claims are dependent on the method of claim 1.Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3-6, and 9 are rejected under 35 U.S.C. 102(e) as being unpatentable by Dalias et al, US Patent #6,990,124 (Dalias hereinafter).

5. As per claims 1 and 9, Dalias teaches the invention as claimed including a method of transferring signaling messages between an Internet Service Provider (ISP) and an exchange of a telecommunications network for the purpose of allocating and controlling circuit switched communication channels wherein said circuit switched communications channels are established between the exchange and the ISP (Col 7, lines 5-24. TDM circuits between switch and remote access server (RAS). Col 6, lines

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33-53; Col 8, lines 38-45. Internet service providers.) and wherein said signaling messages for allocating and controlling said circuit switched communications channel are communicated between said switch and said ISP via a signaling gateway (Col 5, line 66-Col 6, line 5. Signaling communicated via gateway.), Dalias' teachings comprising:

maintaining a record at said signaling gateway identifying said circuit switched communication channels established between said exchange and allocated to said ISP (Col 8, line 66 – Col 9, line 7; Col 10, lines 56-64. Map channels established between switch and RAS.);

routing said signaling messages via a signaling gateway which provides for conversion of messages between a first transmission protocol used in the telecommunications network and a second transmission protocol used in the network which connects the signaling gateway to the ISP (Col 7, lines 5-25. Gateway provides interface between SS7 protocol and protocols utilized in RAS.); and

for each of said signaling messages received at the signaling gateway from the ISP, confirming the right of that ISP to control a circuit switched communication channel identified in said each of said signaling messages by reviewing said record (Col 8, line 66 – Col 9, lines 7, 35-43; Col 10, lines 56-64. Maps CIC to IP address and channel ID. Identifies circuit and channel.).

6. As per claim 3, Dalias teaches the method according to claim 1, wherein the telecommunication network comprises a Signaling System No. 7 (SS7) based signaling network which is interfaced to the ISP via the signaling gateway (Fig. 2; Col 7, lines 5-10. SS7 network.).

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7. As per claim 4, Dalias teaches the method according to claim 3, wherein the network coupling the signaling gateway to the ISP is an IP based network (Fig. 4; Col 4, lines 39-59; Col 5, lines 34-38. Internet.).

8. As per claim 5, Dalias teaches the method according to claim 4, wherein the signaling gateway provides a conversion between at least the Message Transfer part protocols of the SS7 network and the IP based protocols enabling ISUP messages to be transferred transparently, between the exchange and the ISP (Col 7, lines 5-8. Provides interface between SS7 protocols and protocols of RAS. Col 8, lines 47-65. Termination of SS7 protocol including MTP. Maps ISUP messages to the RAS.).

9. As per claim 6, Dalias teaches the method according to claim 4, wherein the ISP from which a signaling message originates is identified at the signaling gateway by virtue of the source IP address associated with the IP datagram in which the message is delivered to the gateway (Col 8, line 66 – Col 9, line 10. Maps point code and CIC to the IP address associated with the RAS on the Internet.).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dalias, in view of Brockman et al, US Patent #6,529,594 (Brockman hereinafter).

12. As per claim 7, Dalias teaches of mapping point codes to the RAS. However, Dalias does not teach the method according to claim 4, wherein each of the ISPs connected to a given signaling gateway is allocated a unique Point Code in the signaling network of the telecommunications network, Point Codes being included in the header of a signaling message to indicate the destination and source of the message, and the signaling gateway screens messages received from an ISP to confirm that the source Point Codes contain therein correspond to the actual ISPs from which they originated.

13. Brockman teaches of capturing signaling units at gateways in a communication network, where the signals passing through the gateway contain an originating point code and a destination point code. The source of the message is identified from the originating point code (Col 5, lines 42-53).

14. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Dalias and Brockman because the teachings of Brockman from above paragraph of 12 would improve the system of Dalias by generating statistics on the network traffic to measure the quality of service as well as ensuring that messages are properly routed.

15. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dalias, in view of Inoue et al, US Patent #6,552,997 (Inoue hereinafter).

16. As per claim 8, Dalias teaches of identifying the RAS by a channel ID. However, Dalias does not explicitly teach the ISP from which a signaling message originates is identified by virtue of the input port/device of the signaling gateway at which the message arrives.

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17. Inoue teaches of determining the transmission source of messages from the port at which the message is inputted (Col 27, lines 20-23).

18. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Dalias and Inoue because the teachings of Inoue to identify the source of the message by the port at which the message is inputted would improve the system of Dalias by ensuring the proper identification and routing of messages.

Response to Arguments

19. Applicant's arguments, filed 10/14/2005, with respect to the rejection(s) of claim(s) 1 under Szviatovszki have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Dalias.

Conclusion

20. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Thursday 8AM to 5PM and every other Friday.

22. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on 571 272-3964. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

23. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 14, 2006
JJ

JOHN FOLLANSBEE
PATENT EXAMINER
TECHNOLOGY CENTER 2100